IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

-

WRIT PETITION NO.9365 of 2001

Between:

E. Narsimha Reddy, S/o. Ram Reddy, R/o. H.No.3-54-28/1,

Saraswathinagar Colony, Nartaki Compound, Post Tirumulgherry.

..... PETITIONER

AND

1 The Commissioner, Prohibition and Excise, Nampally, Hyderabad.
2 The Deputy Commissioner, Prohibition and Excise, at Hyderabad.
3 The Superintendent, Prohibition and Excise, Ranga Reddy District.
4 M/s. Durga Wines Rep. by its Prop. Smt. P. Jagadamba,
W/o. P.M.Prakash, C/o. H.No.11-109, Lothkunta Temple Alwal,

Main Road, Ranga Reddy District.
5 Smt. P Jagadamba, W/o. P.M.Prakash, C/o. H.No.11-109,
Lothkunta Temple Alwal, Main Road, Ranga Reddy District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ or Writs, order or direction, declaring the action of the Respondents 1 to 3 in renewing I.L.24 licence No.499 and seeking to grant I.L.17 Bar License in favour of the Respondents 4 and 5 without insisting for No objection Certificate from the Petitioner/Landlord as illegal, arbitrary and against the guidelines issued by the 1st Respondent.

Counsel for the Petitioner: MR.B.VIJAYSEN REDDY

Counsel for the Respondent Nos.1 to 3: GP FOR PROHIBITION & EXCISE

Counsel for the Respondent Nos.4 and 5: NONE APPEARED

The Court made the following:

ORDER:

The owner of the premises bearing No.11-109, Temple Alwal main road, Ranga Reddy District filed the writ petition seeking a direction to the respondents 1 to 3 not to grant any licence to the fifth respondent for running a wine shop. The writ petition was filed while fifth respondent applied for I.L.17 licence for 2001-'02. In that view of the matter, even if a writ of Mandamus is not issued as prayed for, it is not incumbent on the part of the respondents to grant licence for the year 2001-'02. The cause of action does not survive in this writ petition.

The writ petition is, therefore, dismissed as infructuous.

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(V.V.S.RAO,J)

29.06.2005

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To

1 The Commissioner, Prohibition and Excise, Nampally, Hyderabad.
2 The Deputy Commissioner, Prohibition and Excise, at Hyderabad.
3 The Superintendent, Prohibition and Excise, Ranga Reddy District.
4 Two CCs to the Government Pleader for Prohibition & Excise,

High Court Buildings, Hyderabad. (OUT)

5 Two C.D. Copies.